THE HON'BLE SRI JUSTICE K.C. BHANU

Writ Petition No.17144 of 2005

Dated 30-09-2005

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Between:

D.Narsing Rao, S/o D.Nagabhyusanam,

Aged 44 years, Occ:Business,

R/o H.No.17-2-680, Madannapet, Hyderabad.

` .. Petitioner

and

The Commissioner of Police, Cyberabad,

Hyderabad, Off. At Lakdikapool,

Hyderabad and two others. .. Respondents

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ORDER:

The instant writ petition is filed seeking *Mandamus* to declare the action of the respondents-authorities to summon the petitioner to the Police Station Vanasthalipuram, as illegal, arbitrary and unconstitutional and consequently to direct the respondents not to harass nor summon the petitioner to the police station or in any manner interfere or harass the petitioner.

In the counter-affidavit, filed by the respondents 1 to 3 herein, which is sworn to by the third respondent, Sri D.Sidda Reddy, Inspector of Police, Vanasthalipuram Police Station, it is stated that one Mr.Shankarappa lodged a complaint on 17-06-2005 against the petitioner herein and basing on the said complaint a case is Crime

No.324 of 2005 under Section 420 of the I.P.C. was registered and investigation is taken up. It is further stated that during the course of investigation, three witnesses were examined and the investigation is still pending.

Therefore, it is not a case of unnecessary harassment. Since a case is pending, the action of the respondents cannot be said to be illegal or highhanded. Hence, no further orders need be passed in the writ petition.

Recording the submissions made in the counter-affidavit, writ petition is dismissed. No order as to costs.

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K.C.BHANU, J.

30th September, 2005.

skmr